



Leadership Conference on Civil Rights

2004 NOV 15 P 2:58

October 22, 2004

DOCKET FILE COPY ORIGINAL

1629 K Street, NW
10th Floor
Washington, D.C. 200
Phone: (202) 466-331
Fax: (202) 466-3435
www.civilrights.org

02-6

RECEIVED

FEB 10 2005

Federal Communications Commission
Office of the Secretary

OFFICERS

CHAIRPERSON

Dorothy I. Height
National Council of Negro Women

VICE CHAIRPERSONS

Judith L. Lichtman

National Partnership for
Women & Families

William L. Taylor

Citizens' Commission on Civil Rights

SECRETARY

William D. Novelli

AARP

TREASURER

Gerald W. McEntee

AFSCME

HONORARY CHAIRPERSON

Benjamin L. Hooks

EXECUTIVE COMMITTEE

Barbara Arnwine

Lawyers' Committee For Civil
Rights Under Law

Christine Chen

Organization of Chinese Americans

Robert W. Edgar

National Council of Churches

Sandra Feldman

American Federation of Teachers,
AFL-CIO

Kim Gandy

National Organization for Women

Ron Gettelfinger

International Union, United Automobile
Workers of America

Marcia Greenberger

National Women's Law Center

Andrew J. Imperato

American Association of People with
Disabilities

Cheryl Jacques

Human Rights Campaign

Jacqueline Johnson

National Congress of American Indians

Leon Lynch

United Steelworkers of America

Kay J. Maxwell

League of Women Voters of
the United States

Kweisi Mfume

NAACP

Marc H. Morial

National Urban League

Laura Murphy

American Civil Liberties Union

Ralph G. Neas

People For The American Way

David Saperstein

Union for Reform Judaism

Theodore M. Shaw

NAACP Legal Defense &
Educational Fund, Inc.

Shanna L. Smith

National Fair Housing Alliance

Andrew L. Stern

Service Employees International Union

Reg Weaver

National Education Association

Richard Womack

AFL-CIO

Jacqueline E. Woods

American Association of
University Women

Patricia Wright

Disability Rights Education and
Defense Fund, Inc.

Raul Yzaguirre

National Council of La Raza

COMPLIANCE/ENFORCEMENT COMMITTEE CHAIRPERSON

Karen K. Narasaki

National Asian Pacific American
Legal Consortium

Executive Director
WADE J. HENDERSON

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition with more than 180 national organizations, we urge your support of proposals that would lift the funding freeze which the Universal Service Administrative Company (USAC) imposed on the E-Rate program. The delay in distributing previously committed funds is causing significant hardship for school districts across the country.

As you know, there continue to be significant gaps regarding access to and utilization of technology, referred to by many as the "digital divide." The E-Rate program, which has committed more than \$10 billion to connect to the Internet schools and libraries nationwide, has played and continues to play a pivotal role in bridging the digital divide. Indeed, a study by the National Center for Education Statistics shows that classroom Internet connectivity rates have grown from 14 percent in 1996, when the E-Rate program became law, to 92 percent in 2002. The E-Rate program has helped close the Internet access gap for low-income and minority students by wiring the most economically disadvantaged schools first. The result of this critical prioritization of funding is that Internet access rates for high minority enrollment and highly impoverished schools are now comparable to those enjoyed by all public schools.

In August, USAC halted funding of nearly \$1.4 billion in Program Year 2004 requests for the E-Rate discounts, as it determined how to implement new accounting standards for federal agencies and whether the provisions of the Anti-Deficiency Act apply to the E-Rate. This moratorium has left hundreds of underserved communities scrambling to pay for their technology needs. Moreover, it is making it impossible for many applicants to apply for Program Year 2005 funding when the application window opens in the next few weeks because they will not know if or when they will receive Program Year 2004 commitments. Any further funding delay could seriously imperil this important program and the work that it is doing to ensure that low income students and library patrons are able to make use of the wealth of educational and employment resources available online.

2
List Added

"Equality in a Free, Plural, Democratic Society"



While distressed at the current state of affairs, we are heartened that proposals are circulating that would exempt not just E-Rate but all of universal service from the Anti-Deficiency Act. This proposal would protect the E-Rate as well as two other critical components of universal service – LifeLine and Link-Up – which ensure affordable telephone service for low-income telephone users. Finally, let us be clear that LCCR does not condone waste, fraud, or misuse of any funds of any kind and fully support your efforts to uncover these abuses.

Mr. Chairman, please support all efforts to resume issuing E-Rate funding commitments so that schools and libraries are allowed to continue with their critical efforts. LCCR looks forward to working with you in the future on other priority issues. Please contact Nancy Zirkin at 202/263-2880 if you would like to discuss this or any other issue important to LCCR.

Sincerely,

Wade Henderson
Executive Director

Nancy Zirkin
Deputy Director

Cc: The Honorable Kathleen Q. Abernathy, FCC Commissioner
The Honorable Jonathan S. Adelstein, FCC Commissioner
The Honorable Michael J. Copps, FCC Commissioner
The Honorable Kevin J. Martin, FCC Commissioner